



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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WASHINGTON D.C. 20554

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DA No. 14-1495

Report No. TEL-01695

Thursday October 16, 2014

International Authorizations Granted

Section 214 Applications (47 C.F.R. § 63.18); Section 310(b) Requests

The following applications have been granted pursuant to the Commission's streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12, other provisions of the Commission's rules, or procedures set forth in an earlier public notice listing applications accepted for filing.

Unless otherwise noted, these grants authorize the applicants (1) to become a facilities-based international common carrier subject to 47 C.F.R. § 63.22; and/or (2) to become a resale-based international common carrier subject to 47 C.F.R. § 63.23; or (3) to exceed the foreign ownership benchmark applicable to common carrier radio licensees under 47 U.S.C. § 310(b).

THIS PUBLIC NOTICE SERVES AS EACH NEWLY AUTHORIZED CARRIER'S SECTION 214 CERTIFICATE. It contains general and specific conditions, which are set forth below. Newly authorized carriers should carefully review the terms and conditions of their authorizations. Failure to comply with general or specific conditions of an authorization, or with other relevant Commission rules and policies, could result in fines and forfeitures.

Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules in regard to the grant of any of these applications may be filed within thirty days of this public notice (see Section 1.4(b)(2)).

An updated version of Sections 63.09–.25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>.

For additional information, please contact the FCC Reference and Information Center, Room CY-A257, 445 12th Street SW, Washington, D.C. 20554, (202) 418-0270.

ITC-214-20130726-00204 E COMMKONEKT, LLC

International Telecommunications Certificate

Service(s): Global or Limited Global Resale Service

Grant of Authority

Date of Action: 10/08/2014

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

We grant the Petition to Adopt Conditions to Authorizations and Licenses filed in this proceeding on October 8, 2014, by the Department of Justice (DOJ), including the Federal Bureau of Investigation (FBI), with the concurrence of the Department of Homeland Security (DHS). Accordingly, we condition grant of this international section 214 authorization on compliance by COMMKONEKT, LLC with the commitments and undertakings set forth in the October 7, 2014 letter from Carlos Trava, Manager, COMMKONEKT, LLC, to the Deputy General Counsel, Federal Bureau of Investigation (Letter). A failure to comply and/or remain in compliance with any of these commitments and undertakings shall constitute a failure to meet a condition of the authorization and thus grounds for declaring the authorization terminated without further action on the part of the Commission. Failure to meet a condition of the authorization may also result in monetary sanctions or other enforcement action by the Commission. The Petition and the Letter may be viewed on the FCC's website through the International Bureau Filing System (IBFS) by searching for ITC-214-20130726-00204 and accessing the "Other Filings related to this application" from the Document Viewing Area.

ITC-214-20140915-00268 E TheIPGuys.Net, LLC

International Telecommunications Certificate

Service(s): Global or Limited Global Resale Service

Grant of Authority

Date of Action: 10/10/2014

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

ITC-214-20140919-00271 E EARTH TOUCH, INC.

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority

Date of Action: 10/10/2014

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

ITC-214-20140922-00266 E opticAccess, LLC

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority

Date of Action: 10/10/2014

Application for authority to provide facilities-based service in accordance with section 63.18(e)(1) of the Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

ITC-T/C-20140922-00267 E Tri County Telephone Association, Inc.

Transfer of Control

Grant of Authority

Date of Action: 10/10/2014

Current Licensee: Tri County Telephone Association, Inc.

FROM: Tri County Telephone Association, Inc.

TO: BHT Holdings, Inc.

Application filed for consent to the transfer of control of international section 214 authorization, ITC-214-19970405-00833, held by Tri County Telephone Association, Inc. (Tri County Telephone), a Wyoming cooperative association, to BHT Holdings, Inc. (BHT Holdings), a Wyoming corporation. Pursuant to a September 19, 2014, Definitive Agreement and Plan of Merger, BHT Holdings will purchase all outstanding shares of Tri County Telephone and its wholly-owned subsidiaries, TCT West, Inc., and Tri Tel, Inc. Upon closing Tri County Telephone will become a wholly-owned subsidiary of BHT Holdings.

The following individuals and entities, all U.S. citizens, hold 10% or greater direct and indirect ownership interests in BHT Holdings: Neil Schlenker (31%); Kelly Fowler (25%); Brent Cohen (13%); Colonnade Venture Partners, LLC (CVP), a Nevada limited liability company (31%) (Eric J. Steinmann has a 76% ownership interest in CVP).

TCT West, Inc. and Tri Tel, Inc. provide international services under international section 214 authority held by Tri County Telephone, their 100% parent, pursuant to section 63.21(h) of the Commission's rules, 47 C.F.R. § 63.24(h).

This authorization is without prejudice to the Commission's action in any other related pending proceedings.

ITC-T/C-20141007-00278 E Lighttower Fiber Networks II, LLC

Transfer of Control

Grant of Authority

Date of Action: 10/15/2014

Current Licensee: Lighttower Fiber Networks II, LLC

FROM: Yankee Metro Partners, LLC

TO: LTS Buyer LLC

Notification filed October 7, 2014, of the pro forma transfer of control of international section 214 authorizations, ITC-214-20001128-00698 and ITC-214-20101019-00408, held by Lighttower Fiber Networks II, LLC (Lighttower) (f/k/a Sidera Networks, LLC), a New York limited liability company, from intermediate holding company Yankee Metro Partners, LLC (Yankee), a Delaware limited liability company, to LTS Buyer LLC (LTS Buyer), a Delaware limited liability company, effective October 1, 2014. The pro forma transaction occurred when Yankee merged with and into LTS Buyer and was eliminated as an intermediate holding company in the corporate ownership chain. Concurrently with the pro forma transfer, the authorization holder changed its name from Sidera Networks, LLC to Lighttower. LTS Group Holdings LLC remains the ultimate parent of both Lighttower and LTS Buyer.

SURRENDER

ITC-214-19960621-00262

Airadigm Communications, Inc.

SURRENDER

By letter filed October 8, 2014, Applicant notified the Commission of the Surrender of its international section 214 authorization effective September 10, 2014.

CONDITIONS APPLICABLE TO INTERNATIONAL SECTION 214 AUTHORIZATIONS

- (1) These authorizations are subject to the Exclusion List for International Section 214 Authorizations, which identifies restrictions on providing service to particular countries or using particular facilities. The most recent Exclusion List is at the end of this Public Notice. The list applies to all U.S. international carriers, including those that have previously received global or limited global Section 214 authority, whether by Public Notice or specific written order. Carriers are advised that the attached Exclusion List is subject to amendment at any time pursuant to the procedures set forth in Streamlining the International Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, 11 FCC Rcd 12884 (1996), para. 18. A copy of the current Exclusion List will be maintained in the FCC Reference and Information Center and will be available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html#exclusionlist>. It also will be attached to each Public Notice that grants international Section 214 authority.
- (2) The export of telecommunications services and related payments to countries that are subject to economic sanctions may be restricted. For information concerning current restrictions, call the Office of Foreign Assets Control, U.S. Department of the Treasury, (202) 622-2520.
- (3) Carriers shall comply with the requirements of Section 63.11 of the Commission's rules, which requires notification by, and in certain circumstances prior notification by, U.S. carriers acquiring an affiliation with foreign carriers. A carrier that acquires an affiliation with a foreign carrier will be subject to possible reclassification as a dominant carrier on an affiliated route pursuant to the provisions of Section 63.10 of the rules.
- (4) A carrier may provide switched services over its authorized resold private lines in the circumstances specified in Section 63.23(d) of the rules, 47 C.F.R. § 63.23(d).
- (5) Carriers shall comply with the "No Special Concessions" rule, Section 63.14, 47 C.F.R. § 63.14.
- (6) Carriers regulated as dominant for the provision of a particular communications service on a particular route for any reason other than a foreign carrier affiliation under Section 63.10 of the rules shall file tariffs pursuant to Section 203 of the Communications Act, as amended, 47 U.S.C. § 203, and Part 61 of the Commission's Rules, 47 C.F.R. Part 61. Carriers shall not otherwise file tariffs except as permitted by Section 61.19 of the rules, 47 C.F.R. § 61.19. Except as specified in Section 20.15 with respect to commercial mobile radio service providers, carriers regulated as non-dominant, as defined in Section 61.3, and providing detariffed international services pursuant to Section 61.19, must comply with all applicable public disclosure and maintenance of information requirements in Sections 42.10 and 42.11.
- (7) Carriers shall file the annual reports of overseas telecommunications traffic required by Section 43.61(a).
- (8) Carriers shall file annual reports of circuit status required by Section 43.82. This requirement applies to facilities-based carriers and private line resellers, respectively. See also <http://www.fcc.gov/ib/pd/pf/csmanual.html>.
- (9) Carriers should consult Section 63.19 of the rules when contemplating a discontinuance, reduction or impairment of service.
- (10) If any carrier is reselling service obtained pursuant to a contract with another carrier, the services obtained by contract shall be made generally available by the underlying carrier to similarly situated customers at the same terms, conditions and rates. 47 U.S.C. § 203.
- (11) To the extent the applicant is, or is affiliated with, an incumbent independent local exchange carrier, as those terms are defined in Section 64.1902 of the rules, it shall provide the authorized services in compliance with the requirements of Section 64.1903.
- (12) Except as otherwise ordered by the Commission, a carrier authorized here to provide facilities-based service that (i) is classified as dominant under Section 63.10 of the rules for the provision of such service on a particular route and (ii) is affiliated with a carrier that collects settlement payments for terminating U.S. international switched traffic at the foreign end of that route may not provide facilities-based switched service on that route unless the current rates the affiliate charges U.S. international carriers to terminate traffic are at or below the Commission's relevant benchmark adopted in International Settlement Rates, IB Docket No. 96-261, Report and Order, 12 FCC Rcd 19806 (1997). See also Report and Order on Reconsideration and Order Lifting Stay in IB Docket No. 96-261, FCC 99-124 (rel. June 11, 1999). For the purposes of this rule, "affiliated" and "foreign carrier" are defined in Section 63.09.

Exclusion List for International Section 214 Authorizations

The following is a list of countries and facilities not covered by grant of global Section 214 authority under Section 63.18(e)(1) of the Commission's Rules, 47 C.F.R. § 63.18(e)(1). Carriers desiring to serve countries or use facilities listed as excluded hereon shall file a separate Section 214 application pursuant to Section 63.18(e)(3) of the Commission's Rules. See 47 C.F.R. § 63.22(c).

Countries:

Cuba (Applications for service to Cuba shall comply with the separate filing requirements of the Commission's Public Notice, DA 10-112, dated January 21, 2010, "Modification of Process to Accept Applications for Service to Cuba and Related Matters.")

Facilities:

All non-U.S.-licensed satellite systems that are not on the Permitted Space Station List, maintained at <http://www.fcc.gov/ib/sd/se/permitted.html>.

This list is subject to change by the Commission when the public interest requires. A current version of this list is maintained at <http://www.fcc.gov/ib/pd/pf/telecomrules.html#exclusionlist>.

For additional information, contact the International Bureau's Policy Division, (202) 418-1460.